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7 Attorneys for Defendant
 8 SMITH'S FOOD & DRUG CENTERS, INC.

9 UNITED STATES DISTRICT COURT

10 DISTRICT OF NEVADA

11 ROXANA M. RIVERA GRANADOS,
 12 individually;

13 Plaintiffs,

14 vs.
 15 SMITH'S FOOD & DRUG CENTERS, INC.;
 DOES I - X, and ROE CORPORATIONS I - X,
 16 inclusive,

Defendants.

Case No. 2:25-cv-00266-APG-DJA

**STIPULATED DISCOVERY PLAN AND
 SCHEDULING ORDER**

**[SPECIAL SCHEDULING REVIEW
 REQUESTED]**

17 COME NOW, Defendant SMITH'S FOOD & DRUG CENTERS, INC. (hereinafter
 18 "SMITH'S"), by and through its counsel JERRY S. BUSBY, ESQ. and POOJA KUMAR, ESQ. of the
 19 law firm COOPER LEVENSON, P.A., and Plaintiff ROXANA M. RIVERA GRANADOS (hereinafter
 20 "Plaintiff"), by and through her counsel JUSTIN G. RANDALL, ESQ. of ER INJURY ATTORNEYS
 21 (collectively, the "Parties"), and hereby submit this Stipulated Discovery Plan and Scheduling Order,
 22 with a Special Scheduling Review Requested.

Fed.R.Civ.P. 26(f) Conference.

23 Counsel for the Parties participated in a Rule 26 Discovery Conference on March 4, 2025. The
 24 conference was attended by Justin G. Randall for Plaintiff and Jerry S. Busby for SMITH'S. At the
 25 conference, there were no discovery disputes at that time. The Parties agreed to exchange their disclosure
 26 statements in a timely manner. Counsel are requesting six months from the date of the FRCP 26(f)
 27 conference to complete discovery and be prepared for trial. More specifically, Plaintiff's attorney has
 28

1 indicated that his client has completed her medical treatment. Therefore, counsel believe that six months
 2 from the date of conference will be sufficient to complete discovery.

3 This case was removed to this Court on February 7, 2025, and counsel participated in the FRCP
 4 Rule 26(f) discovery conference on March 4, 2025. Inasmuch as no discovery was conducted prior to
 5 removal or prior to the discovery conference, counsel request six months from the date of the discovery
 6 conference to complete discovery and prepare for trial.

7 Below is the Parties' proposed discovery schedule:

8 1. **Discovery Cut-Off Date:** The Parties are requesting 180 days for discovery from
 9 February 7, 2025, the date that SMITH'S removed this matter to federal court. Thus, the Parties request
 10 a discovery cut-off date of **August 6, 2025** – 180 days after the date of removal.

11 Because this amount of time is beyond the time stated in the Rules, **the Parties request a special**
 12 **scheduling review** based upon the facts that (1) the Parties continue to gather Plaintiff's medical
 13 records, (2) the Parties seek ample time to retain experts in this matter so that they can avoid seeking
 14 future extensions of discovery if possible; (3) no discovery was conducted prior to the FRCP 26(f)
 15 conference, so the Parties have to prepare for and conduct vital discovery prior to the retention of
 16 experts; and (4) the Parties have discussed and believe that the interests of this litigation will be served
 17 if the Parties are permitted additional time to conduct discovery.

18 2. **Amending the Pleadings and Adding Parties:** The Parties request that all motions to
 19 amend the pleadings or to add parties be filed no later than **May 8, 2025** – 90 days prior to the proposed
 20 close of discovery.

21 3. **Fed.R.Civ.P. 26(a)(2) Disclosures (Experts):** The Parties request the disclosure of
 22 experts be made on or before **June 6, 2025** – 61 days before the proposed discovery cut-off date.
 23 Disclosure of rebuttal experts shall be made by **July 7, 2025** – 31 days after the initial disclosure of
 24 experts.

25 4. **Dispositive Motions:** The date for filing dispositive motions shall be no later than
 26 **September 5, 2025** – 30 days after the proposed discovery cut-off date. In the event that the discovery
 27 period is extended from the discovery cut-off date set forth in this proposed Discovery Plan and
 28 Scheduling Order, the date for filing dispositive motions shall be extended to be not later than 30 days

1 from the subsequent discovery cut-off date.

2 5. **Pretrial Order:** The date for filing the joint pretrial order shall not be later than **October**
3 **6, 2025** – 31 days after the cut-off date for filing dispositive motions. In the event that dispositive
4 motions are filed, the date for filing the joint pretrial order shall be suspended until 30 days after
5 decision on the dispositive motions or until further order of the court. In the further event that the
6 discovery period is extended from the discovery cut-off date set forth in this Discovery Plan and
7 Scheduling Order, the date for filing the joint pretrial order shall be extended in accordance with the
8 time periods set forth in this paragraph.

9 6. **Fed.R.Civ.P. 26(a)(3) Disclosures:** The disclosures required by Fed.R.Civ.P. 26(a)(3),
10 and any objections thereto, shall be included in the joint pretrial order.

11 7. **Alternative Dispute Resolution:** Counsel for the Parties certify that they met and
12 conferred about the possibility of using alternative dispute resolution including mediation, arbitration
13 and/or an early neutral evaluation. The Parties agree that an early neutral evaluation would not be
14 effective at this time as the Parties and their counsel believe that it is necessary to conduct discovery
15 before attempting to resolve this case. Counsel further agree that a settlement conference or private
16 mediation will be beneficial after discovery is concluded. Finally, the Parties and their counsel are not
17 interested in submitting this case to arbitration.

18 8. **Alternative Forms of Case Disposition:** The Parties certify that they discussed
19 consenting to trial by a magistrate judge or engaging in the Short Trial Program under Fed. R. Civ. P. 73
20 and at present do not consent to either alternative form of case disposition.

21 9. **Electronic Evidence:** The Parties certify that they have discussed and intend to use
22 electronic evidence at the trial of this matter and will ensure that said evidence is in an electronic format
23 compatible with the Court's electronic jury evidence display system. At present, the Parties have not
24 agreed upon any stipulations regarding use of electronic evidence but will address this issue again in the
25 Pre Trial Order.

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10. **Extensions or Modifications of the Discovery Plan and Scheduling Order:** Any
1
2 stipulation or motion must be made no later than 21 days before the subject deadline. Requests to extend
3 discovery deadlines must comply fully with LR 26-3.

4 **IT IS SO STIPULATED.**

5 DATED this 12th day of March, 2025.

6 DATED this 12th day of March, 2025.

7 **PLAINTIFF INJURY ATTORNEYS**

8 **COOPER LEVISON, P.A.**

9 */s/ Justin G. Randall*

10 */s/ Pooja Kumar*

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25 Attorneys for Defendant
26 SMITH'S FOOD & DRUG CENTERS, INC.

27 **IT IS SO ORDERED:**

28 **ORDER**



29 UNITED STATES MAGISTRATE JUDGE
30 DATED: 3/13/2025